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7 Attorneys for Plaintiff and Counterdefendant  
RIVERPORT INSURANCE COMPANY

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RIVERPORT INSURANCE COMPANY,  
Plaintiff,  
v.  
OAKLAND COMMUNITY HOUSING,  
INC., et al.,  
Defendants.

CASE NO. CV08-3883 VRW

**STIPULATION AND [PROPOSED]  
ORDER RE: WITHDRAWAL OF  
MOTIONS SET FOR HEARING ON  
OCTOBER 22, 2009 (L.R. 7-7)**

JUDGE: Hon. Vaughn R. Walker  
DEPT: Courtroom 6, 17th Floor

AND RELATED COUNTERCLAIM.

Pursuant to Northern District Local Rule 7-7, plaintiff and counterdefendant Riverport Insurance Company (“Riverport”) and all the intervening defendants (collectively “Intervenors”), by and through their respective counsel of record, HEREBY STIPULATE that the Intervenors’ motions set for hearing on October 22, 2009 (per Document No. 146) are hereby WITHDRAWN by Intervenors. This includes the following motions:

- Motion to Dismiss (Document No. 117);
- Motion to Quash (Document No. 121); and
- Motion to Set Aside Default (Document No. 122).

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SF/1628795v1

1 Riverport and Intervenors respectfully request that the court vacate the October 22, 2009  
2 hearing date. Defendants and counterclaimants The John Stewart Company and Loren Sanborn  
3 are not affected by these motions or the withdrawal of these motions, and therefore are not  
4 included in this stipulation.

5 IT IS SO STIPULATED.

7 DATED: September 29, 2009 SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: Bruce D. Celebrazze  
Bruce D. Celebrazze  
Jamison R. Narbaitz  
Attorneys for Plaintiff and Counterdefendant  
RIVERPORT INSURANCE COMPANY

14 DATED: September , 2009 LAW OFFICES OF STEPHAN J. PERELSON

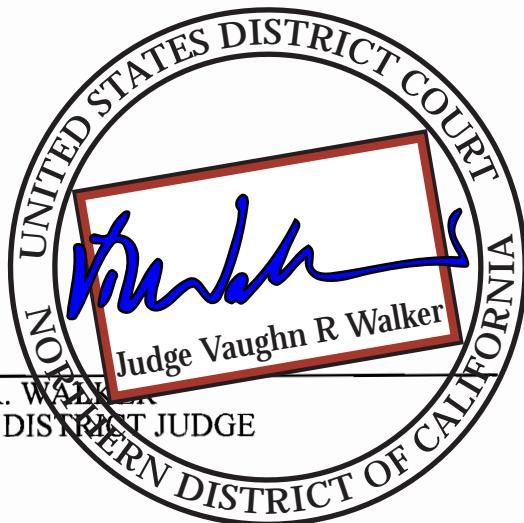
By: Stephan J. Perelson, Esq.  
On Behalf of John Murcko, Esq.  
Attorneys for Intervenors  
LEROY SCROGGINS, *et al.*

## ORDER

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 DATED: 09/30, 2009

HON. VAUGHN R. WALKER  
UNITED STATES DISTRICT JUDGE



**SEDGWICK**  
DETERT, MORAN & ARNOLD LLP

1           Riverport and Intervenors respectfully request that the court vacate the October 22, 2009  
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4 included in this stipulation.

5           IT IS SO STIPULATED.

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7   DATED: September \_\_\_, 2009   SEDGWICK, DETERT, MORAN & ARNOLD LLP

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By: \_\_\_\_\_

10           Bruce D. Celebreeze  
11           Jamison R. Narbaitz  
12           Attorneys for Plaintiff and Counterdefendant  
13           RIVERPORT INSURANCE COMPANY

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15   DATED: September 29, 2009   LAW OFFICES OF STEPHAN J. PERELSON

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By: \_\_\_\_\_

18           Stephan J. Perelson, Esq.  
19           On Behalf of John Murcko, Esq.  
20           Attorneys for Intervenors  
21           LERoy SCROGGINS, *et al.*

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**ORDER**

24   PURSUANT TO STIPULATION, IT IS SO ORDERED.

25   DATED: \_\_\_\_\_, 2009

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HON. VAUGHN R. WALKER  
UNITED STATES DISTRICT JUDGE

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SEDGWICK  
DETERT, MORAN & ARNOLD, LLP